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**SONNENSCHEIN, NATH & ROSENTHAL LLP**  
 P.O. Box 061080  
 Wacker Drive Station - Sears Tower  
 Chicago, IL 60606-1080  
 312/876-8000

IN RE APPLICATION OF: Tadahiko Kubota

ATTORNEY DOCKET NO. 09792909-5985

SERIAL NO.: 10/506,921

GROUP ART UNIT: 1746

FILED: September 3, 2004

EXAMINER: J. Crepeau

FOR: "ELECTROLYTE, NEGATIVE ELECTRODE AND BATTERY"

"

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional claim fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS		MINUS	-20		( ) X 9.00 ( ) X 18.00	
INDEP. CLAIMS		MINUS	3		( ) X 42.00 ( ) X 87.00	
Application amended to contain any multiple dependent claims not previously paid for.				( ) YES ( ) NO	( ) \$140.00 ( ) \$280.00 ONE TIME	
					\$	
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- Applicant petitions the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated \_\_\_\_\_ for \_\_\_\_ month(s) so that the period for response is extended to \_\_\_\_\_. The Commissioner is authorized to charge the fee of \$\_\_\_\_ for the extension to applicants' attorneys' American Express account. PTO Form 2038 is attached for that purpose.
- The Commissioner is authorized and requested to charge the amount of \$\_\_\_\_ to cover the additional claim fee to American Express Account No. 378571697401002. PTO Form 2038 is attached for that purpose.
- The Commissioner is authorized and requested to charge the amount of \$\_\_\_\_ to cover the fee for the attached Terminal Disclaimer under 37 C.F.R. § 1.321 to American Express Account No. 378571697402000. PTO Form 2038 is attached for that purpose.
- A check for \$\_\_\_\_ for Amendment Under 37 C.F.R. 1.312(b) is attached.
- The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to account No. 19-3140. A duplicate of this sheet is enclosed.

When phoning re this application, please call 312/876-8000 - Ext. 12578.

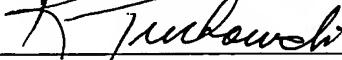
SONNENSCHEIN NATH & ROSENTHAL

BY  (Reg. No. 32,919)

David R. Metzger

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 25, 2005.



SIGNATURE

April 25, 2005



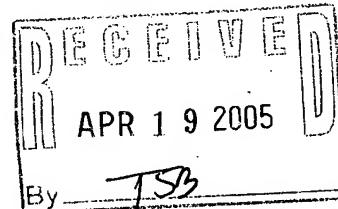
# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,921	09/03/2004	Tadahiko Kubota	09792909-5985	6968
26263	7590	04/15/2005		
SONNENSCHEIN NATH & ROSENTHAL LLP				EXAMINER
P.O. BOX 061080				CREPEAU, JONATHAN
WACKER DRIVE STATION, SEARS TOWER				ART UNIT
CHICAGO, IL 60606-1080				PAPER NUMBER
				1746

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.





## UNITED STATES PATENT AND TRADEMARK OFFICE

10/506921

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
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## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9.30.04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification; titles  
 A. Amended paragraph(s) do not include markings.  
 B. New paragraph(s) should not be underlined.  
 C. Other Must show what is being deleted and added.
2. Abstract:  
 A. Not presented on a separate sheet. 37 CFR 1.72.  
 B. Other \_\_\_\_\_
3. Amendments to the drawings: \_\_\_\_\_
4. Amendments to the claims:  
 A. A complete listing of all of the claims is not present.  
 B. The listing of claims does not include the text of all pending claims (including withdrawn claims)  
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).  
 D. The claims of this amendment paper have not been presented in ascending numerical order.  
 E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/prenotice/officeflyer.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Crystal Queen  
Legal Instruments Examiner (LIE)

571-272-1041  
Telephone No.